

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**MARY A. MULLINIX, Individually  
and As Next Friend of BALTSAR  
RODRIGUEZ, III, Deceased,  
Plaintiff**

**V.**

**CITY OF SAN ANTONIO, and its  
Agency/department SAN ANTONIO  
POLICE DEPARTMENT,  
A. WITHERS also known as AARON WITHERS  
also known as SAPD OFFICER BADGE #0809,  
J. NANCE also known as JIMMY NANCE also  
known as SAPD OFFICER BADGE #0889,  
P. SWEENEY also known as PETER SWEENEY  
also known as SAPD SGT. BADGE #3373,  
WILLIAM McMANUS, CHIEF OF POLICE,  
SAN ANTONIO POLICE DEPARTMENT,  
Defendants**



**CIVIL ACTION NO.  
5:23-cv-1363-OLG**

**Order Granting Intervenor’s Motion to Remand  
Intervention to State District Court**

Before the Court is the motion to remand filed by Intervenor Depolos, Inc. By the motion, Intervenor seeks, after the Court's dismissal of all claims against Defendants, the remand of Intervenor's state law action against plaintiff Mary A. Mullinix, Individually and as Next Friend of Baltasar Rodriguez, III, Deceased. The Court finds that the motion is well taken and should be granted. It is therefore ORDERED that Intervenor Depolos, Inc.'s motion to remand intervention to state district court is GRANTED and SUSTAINED, and all state law claims and causes of action of Intervenor Depolos, Inc. against plaintiff Mary A. Mullinix, Individually

**Order Granting Intervenor Depolos, Inc.'s Motion to Remand No. 5:23-cv-1363**

and as Next Friend of Baltasar Rodriguez, III, Deceased are REMANDED to the 438<sup>th</sup> Judicial District Court of Bexar County, Texas under state district court cause number 2023CI18964, for such other and further proceedings as that court deems proper. Costs are hereby taxed against plaintiff Mary A. Mullinix, Individually and as Next Friend of Baltasar Rodriguez, III, Deceased.

All matters and all parties have been dealt with.

This case is FINALLY CLOSED.

It is so ORDERED.

SIGNED this \_\_\_\_\_ day of January, 2024.

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ORLANDO L. GARCIA  
United States District Judge